

By: Leach

H.B. No. 1911

A BILL TO BE ENTITLED

AN ACT

relating to regulation of discrimination by political subdivisions  
and certain state agencies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 2, Labor Code, is amended to  
read as follows:

Sec. 21.151. ENFORCEMENT BY ORDINANCE. (a) The  
prohibitions on discrimination in this chapter and other state law  
are intended to occupy the field of discrimination law in Texas. A  
political subdivision may not adopt or enforce an order, ~~[or]~~  
ordinance, or other measure that prohibits a practice that is not  
unlawful under this chapter~~[,]~~ or another state law~~[, or federal~~  
~~law]~~.

(b) An order or ordinance adopted by a county, municipality  
or political subdivision before the date this provision becomes law  
and that violates subsection (a) is null and void.

(c) The prohibition prescribed in Subsection (a) does not  
restrict a county, municipality, or other political subdivision  
from adopting a non-binding resolution expressing the intent of the  
county, municipality, or other political subdivision to recognize  
and encourage the protection and non-discrimination of certain  
classes of people not otherwise protected under the laws of this  
state.

SECTION 2. Subtitle A, Title 2, Labor Code, is amended by

1 adding Subchapter L to read as follows:

2 SUBCHAPTER L. ENFORCEMENT BY STATE AGENCY

3 Sec. 21.601. (a) "State agency" means any department,  
4 commission, board, office, or other agency in the executive branch  
5 of state government created by the constitution or a statute of this  
6 state. The term does not include a university system or its  
7 components or an institution of higher education as defined by  
8 Section 61.003, Education Code.

9 (b) The prohibitions on discrimination in this chapter and  
10 other state law are intended to occupy the field of discrimination  
11 law in Texas. A state agency may not adopt or enforce an order,  
12 rule, policy, or other measure that prohibits a practice that is not  
13 unlawful under this chapter or another state law.

14 (c) An order, rule, policy, or other measure adopted by a  
15 state agency before the date this provision becomes law and that  
16 violates subsection (b) is null and void.

17 SECTION 3. If a provision of this Act is declared invalid,  
18 that declaration may not affect the validity of the remaining  
19 provisions.

20 SECTION 4. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2015.